



CITY OF DESERT HOT SPRINGS

**REGULAR MEETING OF THE CITY COUNCIL
And the City Council Serving as the Successor Agency to the
Redevelopment Agency Board**

AGENDA

MARCH 19, 2019

3:30 P.M. – STUDY SESSION

CLOSED SESSION

(Immediately Following the Study Session)

5:30 P.M. – PRESENTATIONS

6:00 P.M. – REGULAR SESSION

**CITY COUNCIL CHAMBERS
Carl May Community Center
11711 West Drive, Desert Hot Springs, California**

STUDY SESSION - 3:30 P.M.

CALL TO ORDER

ROLL CALL

STUDY SESSION:

1. **[Cannabis Strategic Plan](#)**

Deputy City Manager, Luke Rainey

Packet Page 9

Recommendation: Review the proposed goals and initiatives and adopt the Cannabis Strategic Plan.

CLOSED SESSION PUBLIC COMMENTS

At this time, item(s) on the Closed Session agenda may be discussed during Public Comments. PLEASE STATE YOUR NAME FOR THE RECORD.

CLOSED SESSION

(Immediately Following the Study Session)

CLOSED SESSION:

2. **CONFERENCE WITH LEGAL COUNSEL—EXISTING LITIGATION**
(Paragraph (1) of Subdivision (d) of Government Code Section 54956.9)
In the Matter of the Administration of the D.H.S. Drugs, Inc. Profit Sharing Plan
Riverside Superior Court Case Number: PRIN1801126
3. **CONFERENCE WITH LEGAL COUNSEL--EXISTING LITIGATION**
(Paragraph (1) of Subdivision (d) of Government Code Section 54956.9)
Name of Case: Garcia et al v. City of Desert Hot Springs– Pending Litigation
Riverside Superior Court Case Number: PSC 1807458

PRESENTATIONS - 5:30 P.M.

4. **Introduction and Swearing-In of New Police Officer**
Chief of Police, Dale Mondary; and City Clerk, Jerry Soriano
5. **Desert Blind and Handicapped Association, Inc. Presentation**
Desert Blind and Handicapped Association, Barbara Workman

RECESS

REGULAR SESSION - 6:00 P.M.

CALL TO ORDER

ROLL CALL

INVOCATION

PLEDGE OF ALLEGIANCE

CITY ATTORNEY REPORT ON CLOSED SESSION

APPROVAL OF THE AGENDA

At this time the City Council may amend the order of the agenda, approve the Consent Calendar, remove items from the Consent Calendar for separate discussion and action, and add Urgency Items.

Urgency Items ("Added Starters"): The Brown Act, which governs public meetings, permits the City Council to take action on any item that does not appear on the agenda only if 2/3 of the City Council (if all are present) or all members of the City Council (if fewer than all members are present) determine there is a need to take immediate action on the item, and the need to take immediate action came to the City Council's attention after the agenda was posted.

PUBLIC COMMENTS

At this time, pursuant to the Brown Act, any person may comment on matters of general interest within the subject matter jurisdiction of the City Council, NOT listed on the agenda. Under the Brown Act, the City Council should not take action on or discuss matters raised during Public Comment portion of the agenda that are not listed on the agenda.

Comments are limited to the first ten (10) speakers at three (3) minutes per speaker. Speakers may not yield their time to others without consent of the Mayor. All comments are to be directed to the City Council and shall be devoid of any personal attacks. Members of the public are expected to maintain a professional, courteous decorum during public comments.

Please complete and submit a "speaker card" to the City Clerk. You will be asked to STATE YOUR NAME AND CITY OF RESIDENCE FOR THE RECORD.

CITY MANAGER REPORT

MAYOR AND COUNCIL MEMBER REPORTS

ADMINISTRATIVE CALENDAR:

6. [Award Construction for New City Hall Project](#)

Public Works Director, Daniel Porras, P.E.

Packet Page 27

Recommendation: 1) Award a Construction Contract Agreement to the lowest responsible qualified bidder, Robert Clapper Construction Services Inc; and
2) Authorize the City Manager to execute the agreement for the New City Hall Project Number 2019-03 with Robert Clapper Construction Services Inc. in an amount not to exceed \$5,088,000; and approve additional project expenses which include a 10% contingency of \$508,800, as-needed materials testing of \$20,000, as-needed special inspection services of \$10,000, and as-needed certified payroll services of \$30,000, which brings a total project budget of \$5,656,800.00.

7. [\(Continued from March 5, 2019\) Appointment to the Community and Cultural Affairs Commission \(CCAC\) to Fill Vacancy for Unexpired Term](#)

City Clerk, Jerryl Soriano, CMC

Packet Page 73

Recommendation: Ratify Council Member Betts' appointment to the CCAC to fill one (1) vacancy consisting of an unexpired term ending January 2020.

8. [Resolution of Intention to Create a Special Tax Area Zone 38 for Property, APN 663-280-002 Located North of 14th Avenue and East of Little Morongo Road, to the Desert Hot Springs Special Public Safety Tax Area](#)
Finance Director, Linda Kelly *Packet Page 103*
Recommendation: Adopt a Resolution of Intention which establishes the time and place of the Public Hearing to establish Zone 38 within the Special Public Safety Tax Area for Police and Fire Protection Services and authorizing an election.
9. [Resolution of Intention to Create a Special Tax Area Zone 40 for Property, APN 641-251-018 Located North of 14th Avenue and West of Palm Drive, to the Desert Hot Springs Special Public Safety Tax Area](#)
Finance Director, Linda Kelly *Packet Page 121*
Recommendation: Adopt a Resolution of Intention which establishes the time and place of the Public Hearing to establish Zone 40 within the Special Public Safety Tax Area for Police and Fire Protection Services and authorizing an election.
10. [Resolution of Intention to Create a Special Tax Area Zone 41 for Property, APN 665-030-051 Located South of 14th Avenue and East of Little Morongo Road, to the Desert Hot Springs Special Public Safety Tax Area](#)
Finance Director, Linda Kelly *Packet Page 141*
Recommendation: Adopt a Resolution of Intention which establishes the time and place of the Public hearing to establish Zone 41 within the Special Public Safety Tax Area for Police and Fire Protection Services and authorizing an election.
11. [Resolution of Intention to Create a Special Tax Area Zone 42 for Property, APN 665-030-052 Located South of 14th Avenue and East of Little Morongo Road, to the Desert Hot Springs Special Public Safety Tax Area](#)
Finance Director, Linda Kelly *Packet Page 157*
Recommendation: Adopt a Resolution of Intention which establishes the time and place for the Public Hearing to establish Zone 42 within the Special Public Safety Tax Area for Police and Fire Protection Services and authorizing an election.
12. [Award Contract for Zone 1 and Zone 2 - Landscape Maintenance and Operations Services](#)
Public Works Director, Daniel Porras, P.E. *Packet Page 173*
Recommendation: 1) Award the Landscape Maintenance and Operation Services Contract for Zone 1 - Desert View, and Zone 2 – West Desert Hot Springs, to the most qualified bidder, Mariposa Landscaping Inc.; and
2) Authorize the City Manager to execute an agreement between Mariposa Landscaping Inc. and the City of Desert Hot Springs in an amount not to exceed \$71,184.00 plus a 10% contingency of \$7,184.00 for Zone 1, and an amount not to exceed \$116,952.00 plus a 10% contingency of \$11,695.20 for Zone 2, for landscaping and lighting, drainage and community facilities districts and other site maintenance.

13. [Award Contract for Zone 3 and Zone 4 - Landscape Maintenance and Operations Services](#)
Public Works Director, Daniel Porras, P.E. *Packet Page 199*
Recommendation: 1) Award the Landscape Maintenance and Operation Services Contract for Zone 3 - Midtown, and Zone 4 – East Desert Hot Springs, to the most qualified bidder, Desert Concepts; and
2) Authorize the City Manager to execute an agreement between Desert Concepts and the City of Desert Hot Springs in an amount not to exceed \$166,092.00 plus a 10% contingency of \$16,609.20 for Zone 3, and an amount not to exceed \$46,392.00 plus a 10% contingency of \$4,639.20 for Zone 4, for landscaping and lighting, drainage and community facilities districts and other site maintenance.
14. [Annual Housing Element Progress Report](#)
Community Development Director, Rebecca Deming *Packet Page 223*
Recommendation: Approve the 2018 Annual Housing Element Progress Report and direct Staff to submit the Report to the Governor's Office of Planning and Research.
15. [Appointment of a Delegate and Alternate Delegate for the 2019 Southern California Association of Governments \(SCAG\) General Assembly](#)
City Clerk, Jerryl Soriano, CMC *Packet Page 235*
Recommendation: Appoint a Delegate and Alternate Delegate for the 2019 SCAG General Assembly to be held on May 1-3, 2019 in Palm Desert, California.

CONSENT CALENDAR:

Matters on the "Consent Calendar" are considered routine and may be acted upon by one motion under "Approval of the Agenda." Individual items may also be removed by the City Council for separate discussion under "Approval of the Agenda." The title is deemed to be read and further reading waived on any ordinance listed on the Consent Calendar for second reading and adoption.

16. [City Council Regular Meeting Minutes: March 5, 2019](#)
City Clerk, Jerryl Soriano, CMC *Packet Page 237*
Recommendation: Approve the Minutes as presented; or as corrected.
17. [County Service Area 152 \(CSA 152\) Budget and Proposed Assessment For Fiscal Year 2019-20](#)
Public Works Director, Daniel Porras, P.E. *Packet Page 243*
Recommendation: 1) Review the budget and assessment for County Service Area 152; and
2) Adopt a Resolution of the City Council making its findings and establishing the rates for County Service Area 152 to fund the City's National Pollutant Discharge Elimination System (NPDES) Permit.

18. [Second Reading and Adoption of an Ordinance Amending Chapter 17.180 Allowing and Setting Parameters for Marijuana Non-Storefront Retail as a Use](#)
City Clerk, Jerryl Soriano, CMC *Packet Page 253*
Recommendation: Approve Second Reading, read by title only and adopt: "An Ordinance of the City Council of the City of Desert Hot Springs, amending Chapter 17.180 of the Desert Hot Springs Municipal Code allowing and setting parameters for Marijuana Non-Storefront Retail as a use and harmonizing certain definitions and uses with State law.
19. [Payment Register and City Council Expenditures Report for the Month of February 2019](#)
Finance Director, Linda Kelly *Packet Page 293*
Recommendation: Receive and file.
20. [Treasurer's Report for the Month of February 2019](#)
Finance Director, Linda Kelly *Packet Page 349*
Recommendation: Receive and file.

FUTURE AGENDA ITEMS

PUBLIC COMMENTS

Opportunity is given to those members of the public who have NOT addressed the City Council on an item which is NOT on the agenda. Comments are limited to three (3) minutes per speaker. PLEASE STATE YOUR NAME AND CITY OF RESIDENCE FOR THE RECORD.

ADJOURN

UPCOMING DATES

**Please refer to the City website [calendar](http://www.cityofdhs.org) at www.cityofdhs.org for meeting locations and the most up to date information.*

April 2	City Council Regular Meeting	6:00 p.m.
April 9	Planning Commission	6:00 p.m.
April 10	CCAC	6:00 p.m.
April 11	Public Safety Commission	6:00 p.m.
April 16	City Council Regular Meeting	6:00 p.m.

NOTICES

Americans with Disabilities Act

In an effort to comply with the requirements of Title 2 of the Americans with Disabilities Act of 1990, the City of Desert Hot Springs requires that any person in need of any type of special equipment, assistance, or accommodation(s) in order to communicate at a City public meeting, must inform the City Clerk a minimum of 72 hours prior to the scheduled meeting to enable the City to make reasonable arrangements.

SB 343

In accordance with California Government Code Section 54957.5, any writing or document that is a public record, relates to an open session agenda item, and is distributed less than 72 hours prior to a regular meeting will be made available for public inspection in the Office of the City Clerk at City Hall during normal business hours at 65950 Pierson Boulevard, Desert Hot Springs, CA 92240.

If, however, the document or writing is not distributed until the regular meeting to which it relates, then the document or writing will be made available to the public at the location of the meeting, as listed on this agenda at 11711 West Drive, Desert Hot Springs, CA 92240.